

1133279-0017

REMARKS

Upon entry of the amendments herein, claims 1-16, 19, 20 and 23-37 remain pending in the application. Claims 19 and 20 have been amended, and claims 17, 18, 21 and 22 have been cancelled.

The Examiner has again asserted that Applicants' claim for foreign priority is incomplete; in particular, the Examiner asserts that the certified copy of European application No. 98201446.6 has not been received in parent application Serial No. 09/511,481. However, Applicants note that on the Office Action Summary Page of the latest Office Action issued in the '481 application, the Examiner has indicated that all certified copies of the priority documents have been received. Furthermore, no mention is made in the Detailed Action issued in the '481 application of any problem with Applicants' priority claim. It should be noted further that the present application claims priority of same two European applications as does the '481 application, including European application No. 98201446.6. Thus, by the Examiner's own acknowledgement in the related '481 application, certified copies of the applications in question have already been provided and there should be no further requirement.

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Applicants note the Examiner's acknowledgement that pending claims 1-16 and 23-37 contain allowable subject matter. However, claims 17-22 remain rejected.

In the first place, these claims have been rejected as containing new matter due to Applicants' prior amendment of claim 17. The cancellation herein of claims 17, 18, 21 and 22 renders moot their rejection.

The rejection of claims 17, 18, 21 and 22 under 35 USC §102(e) as being anticipated by US Patent No. 6,264,689 to Colgan et al. has been maintained. Again, the cancellation of these claims renders moot the rejection. These claims have been cancelled in light of the Examiner's acknowledgement of the allowability of claims 1-16 and 23-27 and in the interest of bringing the application to issue with the allowed claims. This action may not be construed as an acknowledgement by Applicants of the validity of the outstanding rejection. Applicants maintain the right to resume prosecution of the cancelled claims in a continuation application.

In the previous Office Action (mailed October 6, 2003), the Examiner indicated that claims 19 and 20 were merely objected to as being dependent upon a rejected base claim and that they would be allowable if rewritten in independent form to include all the limitations of the rejected base claim and any

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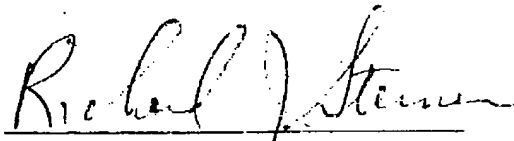
intervening claims. Claims 19 and 20 have been amended herein to meet the Examiner's criteria for allowability and thus must be added to the list of claims already acknowledged by the Examiner to be allowable.

The application with pending claims 1-16, 19, 20, and 23-27 is in condition for allowance; such allowance is respectfully requested. Should any other matters require attention prior to allowance, it is requested that the Examiner contact the undersigned.

The Commissioner is hereby authorized to charge any additional fees which may be due for any reason to Deposit Account No. 23-1703.

Date: July 26, 2004

Respectfully submitted,



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